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Counsel for Defendant Eduardo Subirats

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,	)	No. CR 07-00788 JF
	)	
Plaintiff,	)	STIPULATION TO CONTINUE
	)	STATUS DATE;
vs.	)	<del>[PROPOSED]</del> ORDER
	)	
AMIT EZYONI, et.al.	)	
	)	
Defendants.	)	
_____	)	

It is hereby stipulated between the United States of America, by and through Assistant United States Attorneys Jeffrey D. Nedrow, and defendants Asaf Nass, Limor Gefen, Daniel Rangel, Randy Goldberg, Brandi Aycock, David Lamondin, Stuart Sheinfeld, Carol Haeussler, Christopher Sariol, and Eduardo Subirats, by and through their respective defense counsel, that the status date of February 18, 2009, be continued to March 18, 2009, at 10:00 a.m.

The reason for this continuance is that government counsel is trying to get approval and make arrangements to have the voluminous discovery that was seized in this case transferred to electronic format that can be distributed to all counsel. The huge volume of discovery (over 180 boxes) is currently stored at the U.S. Attorneys Office in San Francisco, which creates logistical problems for the attorneys from San Jose, California, and Miami, Florida.

The next available date for all counsel is March 18, 2009.

STIP AND ~~[PROPOSED]~~ ORDER

1 Therefore the ends of justice served by such a continuance outweigh the best interest of the  
2 public and the defendants in a Speedy Trial within the meaning of Title 18 U.S.C. §3161(h)(8)(A).

3 The parties stipulate that the time between February 18, 2009, and March 18, 2009, shall be  
4 excluded from the period of time within which trial must commence under the Speedy Trial Act, 18  
5 U.S.C. § 3161 et seq., pursuant to Title 18, United States Code, Section 3161(h)(8)(A), considering  
6 the factors set forth in Section 3161(h)(8)(B). As required by 18 U.S.C. §3161 (h)(8)(B)(iv), it is  
7 stipulated that the ends of justice outweigh the best interest of the public and the defendant in a  
8 speedy trial and the denial of the stipulation to continue the motions hearing would unreasonably  
9 deny the defendants reasonable time necessary for effective preparation of the pretrial motions and  
10 defense, taking into account the exercise of due diligence, and would deny the defendant continuity  
11 of counsel. 18 U.S.C. §3161(h)(8)(B)(iv).

12 It is so stipulated.

13 Dated: February 9, 2009

Respectfully submitted,

14  
15 /s/ Vicki H. Young  
VICKI H. YOUNG, ESQ.  
Attorney for Eduardo Subirats

17 Dated: February 10, 2009

18 /s/ Edwin K. Prather  
EDWIN K. PRATHER, ESQ.  
Attorney for Asaf Nass

19 Dated: February 10, 2009

20 /s/ Garrick S. Lew  
GARRICK S. LEW, ESQ.  
Attorney for Limor Gefen

22 Dated: February 10, 2009

23 /s/ Mark Eibert  
MARK EIBERT, ESQ.  
Attorney for Daniel Rangel

24 Dated: February 13, 2009

25 /s/ Sam Rabin  
SAM RABIN, ESQ.  
Attorney for Randy Goldberg

1 Dated: February 11, 2009

/s/ Ronald Gainor  
RONALD GAINOR, ESQ.  
Attorney for Brandi Aycock

4 Dated: February 10, 2009

/s/ Mark A. Arnold  
MARK A. ARNOLD, ESQ.  
Attorney for David Lamondin

7 Dated: February 10, 2009

/s/ Hugh A. Levine  
HUGH A. LEVINE, ESQ.  
Attorney for Stuart Sheinfeld

9 Dated: February 11, 2009

/s/ Michael J. Sacks  
MICHAEL J. SACKS, ESQ.  
Attorney for Carol Hauessler

12 Dated: February 10, 2009

/s/ Lara Vinnard  
AFPD LARA VINNARD  
Attorney for Christopher Sariol

15 Dated: February 10, 2009

JOSEPH P. RUSSIONIELLO  
UNITED STATES ATTORNEY

/s/ Jeffrey D. Nedrow  
JEFFREY D. NEDROW  
Assistant United States Attorney

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

AMIT EZYONI, et.al.,

Defendants.

CR No.: CR 07-00788 JF

**PROPOSED ORDER FOR  
CONTINUANCE OF  
STATUS DATE**

FOR THE REASONS SET FORTH ABOVE IN THE STIPULATION BETWEEN THE PARTIES, IT IS HEREBY ORDERED that the status date of February 18, 2009, is continued to March 18, 2009, at 10:00 a.m.

The Court finds the time between February 18, 2009, and March 18, 2009, is excludable from the Speedy Trial Act requirements of Title 18, United States Code, Section 3161 pursuant to Title 18, United States Code, Sections 3161(h)(8)(A) and 3161(h)(8)(B)(iv). The parties agree that the time is excludable in that the ends of justice served by granting this continuance outweigh the best interests of the public and the defendant in an earlier trial specifically based on the efforts of government counsel to make arrangements to provide electronic copies of the voluminous discovery to defense counsel. For these reasons, there is good cause for the continuance and failure to grant the continuance would unreasonably deny the government and the defendants reasonable time necessary for effective case preparation taking into account the exercise of due diligence under 18 U.S.C. 3161(h)(8)(B)(iv).

IT IS SO ORDERED.

DATE: 2/23/09

  
JEREMY FOGEL  
UNITED STATES DISTRICT JUDGE

STIP AND [PROPOSED] ORDER